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☒ Urgent☒ Return reply requested☐ Original will be sent as confirmationTo: U.S. Patent and Trademark Office, Art  
Unit 1646

Date: April 21, 2004

Attention: Examiner Z. Lucas, Ph.D.

Re: 09/809,060; Filed March 16, 2001

From: Christine M. Lhulier, Reg. No. 54,269

Pages (including cover sheet): 11

Your Reference:

Fax No: 703-872-9306

Our Reference: 1900.0260001/JMC/CML

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## Message

Pursuant to your request, a copy of Petition filed February 2, 2004, follows. Please confirm receipt.  
Thank you.

If any portion of this transmission is not received clearly or in full,  
contact us at 202.371.2600 or f 202.371.2540

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APR. 21. 2004 3:12PM SKG&F3712540

Applicants: *WILL et al.*

Due Date: NONE NO. 7010 P. 2

Art Unit: 1646

Examiner: *To Be Assigned*

Docket: 1900.0260001

Atty: JMC/CML

Application No.: 09/809,060

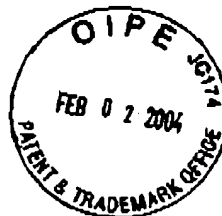
Filed: March 16, 2001

For: **A Method for Generating Immunogens that  
Elicit Neutralizing Antibodies Against Fusion-  
Active Regions of HIV Envelope Proteins**

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Response and Request for Reconsideration of Notice to Comply with Sequence Requirements;
3. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
4. Copy of Postcard dated September 16, 2003 submitting the Sequence Listing;
5. Copy of the PAIR record for the captioned application; and
6. Return postcard.

SKGF\_DC1;223952.1



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*Mall Stop Missing Parts*



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Jessica L. Parezo  
Timothy A. Doyle  
Cynthia M. Bauchez  
Nicole O. Dietz  
Ted J. Ebersole  
**Registered Patent Agents**  
Karen R. Markowicz  
Marilyn J. Leish  
Helene C. Carlson  
Gabry L. Longworth  
Matthew J. Owynd  
Aron B. Schwartz  
Mary B. Tung  
Karina Y. Pei Quach  
Bryan L. Skelton  
Robert A. Schwartzman

Teresa A. Colella  
Jeffrey S. Lundgren  
Victoria S. Rutherford  
Eric D. Hayes  
Michelle K. Holoubek  
Robert H. DeSelms  
Simon J. Elloit  
Julie A. Helder  
Mita Mukerjee  
Scott M. Woodhouse  
**Of Counsel**  
Kenneth C. Ross, II  
Evan R. Smith  
Marvin C. Gushrie  
\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

February 2, 2004

**WRITER'S DIRECT NUMBER:**  
(202) 772-8673

**INTERNET ADDRESS:**  
ICOWRT@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop Missing Parts**

Re: U.S. Utility Patent Application  
Application No. 09/809,060; Filed: March 16, 2001  
For: **A Method for Generating Immunogens that Elicit Neutralizing  
Antibodies Against Fusion-Active Regions of HIV Envelope Proteins**  
Inventors: WILD *et al.*  
Our Ref: 1900.0260001/JMC/CML

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Response and Request for Reconsideration of Notice to Comply with Sequence Requirements;
2. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
3. Copy of Postcard dated September 16, 2003 submitting the Sequence Listing;
4. Copy of the PAIR record for the captioned application; and
5. One (1) return postcard.

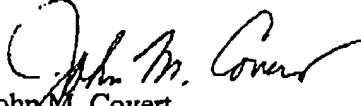
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 2, 2004  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
John M. Covert  
Attorney for Applicants  
Registration No. 38,759

JMC/CML:kim  
Enclosures

SKGF\_DC1:223971.1

**OFFICIAL**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED  
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In re application of:

Wild *et al.*

Appl. No. 09/809,060

Filed: March 16, 2001

For: **A Method for Generating  
Immunogens that Elicit Neutralizing  
Antibodies Against Fusion-Active  
Regions of HIV Envelope Proteins**

Confirmation No. 4671

Art Unit: 1646

Examiner: to be assigned

Atty. Docket: 1900.0260001/JMC/CML

**Response and Request for Reconsideration of Notice to Comply with  
Sequence Requirements**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This letter responds to and requests reconsideration of, the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated October 6, 2003.

Applicants filed a Preliminary Amendment and Submission of Sequence Listing, to comply with the requirements of 37 CFR 1.821-1.825, on September 16, 2003. Thus, Applicants believe that the October 6, 2003 Notice was in error. A copy of the postcard with date of receipt stamped thereon and the October 6, 2003 Notice is included herewith for your convenience. Moreover, the File Contents History on PAIR indicates that the sequence listing was determined to be good technically, and entered into the database. See included copy of PAIR record for the captioned application.

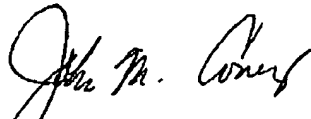
- 2 -

Wild *et al.*  
Appl. No. 09/809,060

In view of the foregoing, it is respectfully submitted that the instant application complies with the requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosure. Accordingly, reconsideration and withdrawal of the Notice to Comply is respectfully requested. If the request for reconsideration is denied, Applicants respectfully request a more definite statement of why the September 16, 2003 filing is deficient.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN &amp; FOX P.L.L.C.



John M. Covert  
Attorney for Applicants  
Registration No. 38,759

Date: Feb. 2, 2004

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

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United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/809,060	03/16/2001	Carl T. Wild	1900.0260001/JMC/KKV

26111  
STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

CONFIRMATION NO. 4671

## FORMALITIES LETTER

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100  
\*0C000000010983857\*

Date Mailed: 10/06/2003

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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NO. 7010

P. 8

Page 2 of 2

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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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NO. 7010 P. 9

**Due Date:** None

**Applicants:** Wild et al.

**Art Unit:** 1646

**Application No.:** 09/809,060

**Examiner:** To Be Assigned

**Filed:** March 16, 2001

**Docket:** 1900.0260001

**Atty:** JMC

**For:** A Method for Generating Immunogens that Elicit Neutralizing Antibodies Against Fuslon-Active Regions

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGP Cover Letter;
2. Preliminary Amendment and Submission of Sequence Listing;
3. Paper and Disk Copy of Sequence Listing; and
4. One (1) return postcard.



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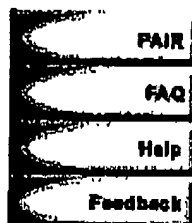
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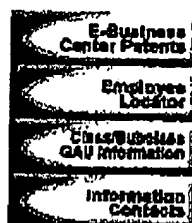
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## PATENT APPLICATION INFORMATION RETRIEVAL



## Other Links



Search results for application number:09/809,060			
Application Number:	09/809,060	Customer Number:	26111
Filing or 371(c) Date:	03-16-2001	Status:	Application Returned to Preexam
Application Type:	Utility	Status Date:	09-30-2003
Examiner Name:	LUCAS, ZACHARIAH	Location:	OIPE - CONTRACT FORMALITIES, CP2
Group Art Unit:	1648	Location Date:	11-13-2003
Confirmation Number:	4671	Earliest Publication No:	US 2002-0010317 A
Attorney Docket Number:	1900.0260001/JMC/KKV	Earliest Publication Date:	01-24-2002
Class/ Sub-Class:	424/188.1	Patent Number:	-
First Named Inventor:	Carl Wild, Gaithersburg, MD	Issue Date of Patent:	-
Title Of Invention:	Method for generating Immunogens that elicit neutralizing antibody against fusion-active regions of HIV envelope proteins		

Continuity Data

Publication Review

Published Document

File Contents History		
Number	Date	Contents Description
15	10-06-2003	SEQUENCE ERRORS
14	05-15-2001	Additional Application Filing Fees
13	10-03-2003	Application Return TO OIPE
12	09-30-2003	Application Return TO OIPE
11	09-29-2003	CRF Is Good Technically / Entered into Database
10	05-26-2003	Case Docketed to Examiner in GAU
9	04-16-2002	Information Disclosure Statement (IDS) Filed
8	02-26-2002	Information Disclosure Statement (IDS) Filed
7	07-16-2001	Preliminary Amendment
6	05-25-2001	Information Disclosure Statement (IDS) Filed
5	05-29-2001	Case Docketed to Examiner in GAU
4	05-25-2001	Application Dispatched from OIPE
3	05-23-2001	Correspondence Address Change
2	04-02-2001	IFW Scan & PACR Auto Security Review
1	03-16-2001	Initial Exam Team nn

APR. 21. 2004 3:14PM

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NO. 7010 P. 11 of 2

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